Jurists Condemn Brazil Coup U.S. Backed, P. 3

"Violence in the Streets" But What of (Anti-Negro) Violence in the Rural South?

Republicans and Democrats outdo each other in condemning "violence in the streets," a euphemism for Negro crimes against whites in the North. Both are silent about violence in the South against Negroes and white civil rights workers. This is unmentioned in the campaign speeches, as it was in the platforms. Crimes against whites have been exaggerated; the crime rate in Goldwater's almost lily-white Phoenix turns out to be higher than in New York or Washington. Violence against Negroes is played down. The body of a Negro CORE worker was fished out of the Big Black River near Pickens, Miss., Sept. 9 without a ripple of indignation. Church burnings have become routine. When a Negro church was bombed and an Indian church burned down near Philadelphia, Miss., Sept. 19, the few newspapers which carried the item buried it in their back pages. Two days later, when bombs were thrown at a church in McComb, Miss., and into a house where two children miraculously escaped death, these did make headlines in the New York evening papers but only after angry Negroes drove police out of the neighborhood with bricks and bottles. Failure to punish Southern white bombers and killers is taken for granted. No one has yet been arrested for the murder of three civil rights workers last summer near Philadelphia, Miss. The Klansmen tried for shooting Lemuel Penn in Georgia have been acquitted. The murder of Medger Evers is still unpunished. Nobody has been arrested for cutting the heads off two young Negroes in Mississippi last spring and throwing their bodies in the Yazoo river. There are parts of the South in which shooting Negroes is known as "funning." It's time Johnson and Humphrey, Goldwater and Miller, were forced to say where they stand on this Southern form of amusement.

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Like A Bar-Room Brawl With The Lights Out

It is not surprising that Secretary McNamara abruptly shut off his press conference on the latest Tonkin Bay incident so he would not have to answer questions. The U.S. has never engaged in a more obscure bit of brinkmanship. The *Washington Post* (Sept. 20) in reporting the White House reactions said President Johnson "believes that history might have turned out differently if Kaiser Wilhelm and Chancellor Adolf Hitler had not made miscalculations about the U.S." The parallel is doubly unfortunate. Germany twice precipitated world wars by a "right is might" policy ours has begun to resemble. The Germans did indeed miscalculate U.S. reaction, but that miscalculation was a simple affair. Then Berlin did not know what Washington would do. Here we have a situation in which Washington itself does not know what it's doing. Neither Washington nor Moscow nor Peking nor Hanoi can calculate clearly because none of them seem sure of what happened. We say we shot at some blips on a radar screen; Peking and Hanoi say, in substance, that nothing at all happened; and Moscow says we sank three ships. Now Washington says it thinks maybe we did. This is beginning to resemble a bar-room brawl with the lights out.

There's Many A Blip . . .

Last time our Navy at least claimed to have heard and seen gun flashes. This time the whole encounter took place on the radar screens. We don't seem to know what the hostile blips were, or what happened to them. According to Mr. Johnson's press conference of Sept. 21, when the early reports came in some persons had urged rapid retaliation again, as after the alleged attack on August 5, which Peking and Hanoi also say never happened. Fortunately Mr. Johnson said he preferred to wait until daylight when the situation could be better understood and evaluated. One more swift reprisal raid like the last one, and it would have been hard to tell from the blips on the political radar screen whether that was Johnson or Goldwater shooting from the hip again. McNamara may have fled that press conference because answers, or unwillingness to answer, certain questions might have been embarrassing. He might also have fled lest the press discover that he, too, didn't know the answers. It's not news that the American people long ago lost touch with what is really happening in Vietnam. It's painful to discover that their leaders aren't sure either.

In the last Tonkin Bay incidents the alibi was that while the CIA knew, it failed to let the Navy know, that attacks

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Peking on That First Tonkin Bay Battle

"According to the 'chronology', at 7:40 p.m. local time, U.S. warships encountered these 'surface vessels' and at 9:52 an 'engagement' took place. Fierce fighting continued for more than three hours and lasted till 1:30 on August 5. The whole process lasted for nearly six hours. This was truly a sea battle of considerable scale. But anybody with a little knowledge of military science knows that torpedo boats have high speed and short range and are fit for short distance surprise attack and hit-and-run tactics. How could they be engaged in fierce fighting with powerful U.S. destroyers for three hours on high seas more than 60 nautical miles off the coast? Secondly, if these vessels were, as alleged by Johnson, 'hostile vessels of the Government of North Vietnam', which made 'deliberate, wilful and systematic attack on U.S. vessels', why didn't they start the attack immediately after spotting the U.S. vessels, instead of paralleling the tracks of U.S. vessels, until 9:52, that is, more than two hours after U.S. vessels spotted them, got everything ready, and even had time to call in an escort of aircraft?"

—Peking Review, *Aug. 14. We are indebted for this quotation to (of all places) the Goldwaterite* National Review *(Sept. 22) whose editor, Buckley, advocates negotiating with China to end the Viet war.*

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were being made on the North Vietnamese coast while our destroyers cruised nearby. After that incident, it was announced that our patrols were being removed from the Bay of Tonkin but that we reserved the right to resume them later. Now again the AP from Washington (*Baltimore Sun,* Sept. 22) carries the news, "The two-destroyer patrol involved in last Friday's shooting incident has been withdrawn from the Gulf of Tonkin, informed sources said tonight. The patrol was finished on schedule, they said, and it is indefinite when another will go into the gulf. . . ." Was this the first patrol since the August 5 affair?* Were any covert operations scheduled at the same time by the South Vietnamese, using the naval vessels we have given them? How does North Vietnamese radar distinguish U.S. naval vessels when under U.S. command from the same vessels when under South Vietnamese control? Do U.S. patrols engage in reconnaissance which pinpoints radar and coastal defense installations along the North Vietnamese coast and is this information then turned over to the South Vietnamese to help them in raiding activities? If Russian or Chinese destroyers prowled the Florida coast while ships they supplied Castro engaged in coastal raids, what would we do? Send hampers of Florida grapefruit to their skippers?

What the Desperadoes Want

We may have double electronic locks on our nuclear weapons but we seem to have less and less control over our own and our puppet forces in Vietnam though these could spark off a wider war. The situation in South Vietnam is falling apart so quickly that one suspects it is too fast for the Vietcong as well as ourselves. Divisional capitals are left unguarded—and yet are not taken over—as commanding generals move their troops on Saigon to see if they can emerge as the new "strong men" or at least get themselves another star on their shoulder straps as consolation prizes. The indifference of the populace in Saigon was the most striking feature of the abortive coup. The country is sick of war and sick of us, especially of our habit of napalming and machine-gunning whole villages to get at a few suspected guerrillas. Behind the Catholic-Buddhist feud is a division between Catholic extremists anxious to carry on the war at any cost and Buddhists who want restoration of civilian government and a cease-fire. The most dangerous element in the situation are those military men who see a widening of the war as the only way to prevent a negotiated peace. One of these is the young Air Force Commander and playboy, Nguyen Cao Ky, to whom Khanh owes his survival. In an interview with *Le Monde* (Sept. 17) Ky advocated extension of the war to the North and when asked whether the Americans would permit this declared angrily, "M. I can order and carry out these operations at any time," and cut off the interview. This is the new power behind the collapsing throne in Saigon.

Our puppets have a way of making us dance to their strings. It would be well to be on guard against provocations or phony news stories designed to provoke or excuse what these light-headed desperadoes want. In this category is the story from Saigon in the *New York Times* (Sept. 22) as we go to press quoting "reliable military sources" as saying that South Vietnamese forces had inflicted heavy casualties on two companies of North Vietnamese who had crossed over the demilitarized zone that separates the two parts of Vietnam. The AP (*Baltimore Sun,* Sept. 22) treated this more circumspectly as a "possibility" that U.S. authorities were investigating. Why should North Vietnam risk an invasion and a U.S. attack when the collapse of the South Vietnamese government and a negotiated peace may be in sight?

*** "Navy chiefs," said the Washington Wire of the Wall Street Journal Sept. 4, "plan to send another sea patrol into the Gulf of Tonkin soon. It will resemble the force that encountered North Vietnamese attacks in early August. Officers talk of the plan as just another reconnaissance mission. But it could test Red belligerency afresh." Was this advance leak part of a war of nerves?**

Congress And The Court

"The Constitution says, 'The Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.' . . . But these constitutional provisions no more authorize Congress to prevent the judicial power of the United States from enforcing the right to equal protection of the laws than the same provisions authorize Congress to prevent the judicial power from enforcing the right to freedom of speech, or trial by jury, or any other constitutional right. Congress cannot nullify constitutional rights by the simple device of forbidding U.S. courts to decide cases in which these rights are involved."

—Henry W. Edgerton, retired judge of the U.S. Court of Appeals for the District of Columbia, in a letter to the Washington Post *Sept. 16, on the reapportionment controversy in Congress.*

Why Morse Opposes Javits or Any Other "Compromise" Court Resolution

"I shall vote for no proposal that in any way casts disrespect upon the Federal court system. The back-seat driving that the Javits substitute represents is always an unsound disruption of our constitutional system, no matter how innocuously it may be framed. The courts will ignore it but the public will not. For those who want to stir up resistance to court decisions and resentment against the courts in general, any critical advisory opinion from the Congress is a victory.

"For at least 10 years, 'court-busting' bills have been on this calendar in every session. We have had bills to overturn the Nelson decision on State subversive laws; bills to overturn the passport decisions; bills to overturn the protection of persons charged as security risks; bills to overturn the Mallory rule. If we who fought those measures had started dickering with their advocates to find something we could all agree on, most of them would have been adopted in one form or another.

"It was not Earl Warren who laid down the theorem that the Supreme Court is the final arbiter of the Constitution; it was a great Virginian, John Marshall. If the American people are adamant in their opposition to the Court rulings on reapportionment a constitutional amendment can always undo what the Supreme Court has already done. It is those who know that once popular representation is a fact the people will welcome it, who are trying to suspend the administration of justice."

—Morse in the Senate Sept. 15 (abridged).

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Commission's Report Says Military Feared Congress Would Approve Goulart's Reforms

World Jurists Condemn Brazil's Military For U.S. Supported Coup

When the conservative International Commission of Jurists condemns Castro or criticizes the Soviet bloc, it makes headlines in the U.S. press. But its recent criticism of the military coup in Brazil the U.S. supported was almost entirely blacked out of the U.S. press. We cabled the Commission in Geneva for a copy and here present the heart of that report from its September bulletin:

President Goulart was effectively overthrown by April 2, 1964, in a military coup which was fortunately bloodless. The accusations made against him by the military leaders of the coup were of trying to introduce a dictatorship of the extreme Left, of violating the Constitution, and of increasing his personal power at the expense of that of Congress. . . .

It is difficult to find any justification for the overthrow of President Goulart by the military without waiting for Congress to express its views on his proposals. . . . Whether or not President Goulart was a good or bad executive, Left-wing or Right-wing, efficient or inefficient, he was the constitutional President of Brazil and constitutional methods existed to restrain him from accomplishing any of the three things of which he was specifically accused by the military. The obvious conclusion to be drawn from the fact that the military did not wait for Congress to pronounce upon President Goulart's proposals is that they feared that Congress might accept them. Any pretext of acting in the higher interests of the Constitution or to protect the Constitution against the activities of President Goulart is self-evidently hollow. . . .

The Real Reason for the Coup

President Goulart's programme was to "transform an archaic society into a modern society authentically free and democratic." A small agrarian reform had been effected by a decree of March, 1964. In order to proceed to a more sweeping reform President Goulart had asked Congress in his annual report of March 15, 1964, to approve amendments to the Constitution. . . . The reform already effected by decree concerned 3% of the land surface and covered non-cultivated land less than ten kilometers on either side of part of the federal communications system. Such land had been the object of fearful speculation. More fundamentally, the project of agrarian reform aimed to abolish the abuses of latifundia. . . . In Brazil 62% of cultivable land belongs to 3% of the population; 0.5% is divided up into 400,000 parcels of less than 5 hectares; there are 9 million landless peasants of whom 4 million are not paid wages in money.

As political reforms, President Goulart wished to give the right to vote to illiterates and to those on military service, and asked for universal suffrage. He also proposed that his programme of reform should be submitted to a popular referendum in which all Brazilian citizens aged 18 and over would be entitled to vote. . . . These reforms, unless there be some hidden sinister significance, are entirely in accordance with the Universal Declaration of Human Rights. . . . Moreover, the late President Kennedy expressed his approval of this social programme as entirely in conformity with the spirit of the Alliance for Progress. It would seem more than a little incongruous to label as Communist a programme which met with the approval of President Kennedy, or which in principle is self-evidently necessary for the proper advancement of human dignity in a country where the disparity between rich and poor is still of frightening proportions.

Something of the measure of the respect for fundamental rights which is held by the new military regime in Brazil can be gauged from its actions since assuming power. The land reform [decree] was abrogated. Approximately forty members of Parliament have been divested of their seats, censorship of the press has been established, approximately 8,000 persons have been arrested, and all likely opponents of standing at the forthcoming presidential election have been deprived of their civil rights.

How LBJ Welcomed The Coup

"The American people have watched with anxiety the political and economic difficulties through which your great nation has been passing. . . . The relations of friendship and cooperation between our two governments and peoples are . . . a precious asset in the interests of peace and prosperity and liberty in this hemisphere and in the whole world. I look forward to the continued strengthening of those relations and to our intensified cooperation in the interests of economic progress and social justice for all. . . ."

—Johnson's message welcoming Goulart's overthrow, Apr. 2.

How Brazil's New Military Chiefs Faked Evidence of a Communist Plot

"Five months after the 'glorious Christian revolution,' both ordinary and military prisons are overcrowded with political prisoners, numbering now several thousands and including a number of MPs, a few deposed State governors and mayors, priests, university teachers, and so on. The net for this frantic witchhunt has been cast far and wide to gather in every man and woman even remotely suspect of progressive or Left-wing opinions. In some places, like the State of Minas Gerais, this went to the extent of pouncing rather on the progressives or reformist Catholic groups, while leaving the few Communists at liberty. . . .

"Immediately after the military coup, peasants (including many women) were rounded up in hundreds by army and police units and thrown into local jails and beaten up. Many of the leaders were killed or emasculated by gangs of thugs organized by the landowners, who were known to have been buying and storing arms for some time. It is true that the regime has not dared so far to break up the "Labour Courts" legally set up in country towns to deal with peasants' complaints, but the judges have been subject to much pressure and at least one of them was arrested.

"In order to give some semblance of truth to the hackneyed and already discredited story of a 'Communist plot', the military chiefs have organized a number of 'exhibitions of subversive material' which they claim to have seized from Left-wing organizations (the press cliche 'copious subversive material was seized' is always good for raising a laugh nowadays). One of these ludicrous affairs was found to consist mostly of books (Djilas's The New Class, textbooks on economic development, etc.), but pride of place was given to an Egyptian flag!" . . .

—The Tribune (London), Sept. 11.

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Cozy Relations Between Doctors and Insurance Companies Drive Up Cost of Health Care

As An Alternative To Medicare Why Not Regulate Private Health Plans?

For almost a third of a century an alliance of doctors, hospital trustees and health insurance companies has blocked passage of a federal health insurance program. F.D.R. endorsed compulsory national health insurance for every American when he first sent the Social Security Bill to Congress in 1935. President Truman throughout his administration fought for a comprehensive medicare program that included doctor, dental and laboratory insurance as well as hospital care. Today, as we go to press, Congress is still debating the whittled down remains of this plan—a program of hospital and nursing home care for those 65 and over—and it seems almost certain that even this will be defeated.

Why Doctors Oppose Medicare

The opponents of medicare have more at stake than their Puritan ethics and capitalistic ideology. Private health insurange for them has been a lucrative venture. In 1959, for example, it supplied one in eight general practitioners and one in four specialists with 50% or more of their average earnings. Some hospitals, especially in industrial areas, derive as much as 70% of their income from Blue Cross alone. If this income were solely the result of an "arm's length" relationship between the vendors of medical care and the insurance carriers, one might expect it to continue under any form of insurance, public or private. Unfortunately, their relationship at best has been one of reciprocal backscratching.

In the case of Blue Cross and Blue Shield, doctors and hospitals enjoy direct control through the boards of directors of the local plans. According to Herman and Anne Somers in their classic (and conservative) study, *Doctors, Patients and Health Insurance,* they outnumber representatives of the general public on these boards by a 2-to-1 margin. In the case of commercial companies, their influence is more subtle but just as powerful. The doctor, as the Somerses explain, is the commercial carrier's umbilical cord. His good will can bring subscribers and his assistance, as in promptly discharging patients from hospitals, can reduce benefit payments.

One consequence of this is that insurance plans are more often tailored to the interests of the vendors than the consumers of medical care. Most plans encourage hospitalization and surgery even when these may not be medically necessary. Others like Major Medical tempt doctors and hospitals to charge higher prices than they would ordinarily charge the uninsured. As a result medical prices have been spiraling upward about three times as fast as the general price index. The insurance carriers have been either unwilling or unable to regulate this price spiral. When several Blue Cross groups attempted to do so in the late 1950's, they received a sharp warning from the president of the American Hospital Association against any tendency to act as "defender of [their] subscribers against the hospital rather than as an agency for the prepayment of hospital care as it is determined to be by the hospitals and doctors." The carriers have turned instead to higher premiums, restricted enrollment and inadequate benefits.

In the absence of a federal health insurance program, federal regulation of private insurance plans is necessary. It would tend to counteract the influence of doctors and hospitals and strengthen the hand of those in the insurance companies who desire to control medical costs rather than raise premiums. Health has become too big a business to remain both unnationalized and unregulated.

New Atomic Pact Becomes Official

The Joint Committee on Atomic Energy has unanimously endorsed the new atomic information agreement with NATO and its member nations. The old dissenters like Sen. Anderson and Representatives Holifield and Price may consider the battle against nuclear dissemination already lost. Senator Aiken told us of his personal misgivings but he too chose to remain silent in the committee's report. The agreement becomes official on September 24 in the absence of a veto from both houses of Congress. The five congressmen who submitted resolutions of protest in July have decided not to carry the fight further. They say they will conserve their limited resources for an effort to defeat an MLF agreement in late winter. We hope they show greater determination then than they have now.

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